

### **Remarks**

This Request for Continued Examination is provided in response to the Advisory Action (Paper No. 9) mailed August 28, 2003.

The Applicants gratefully acknowledge the allowed subject matter of claims 26-37. These claims have not been amended herein.

### **Request for Telephonic Interview**

The Applicant's representative requests a telephonic interview, preferably after such time that the Examiner has reviewed the subject matter of the amended claims herein but before issuing an Office Action on the merits. This interview is justified because there are unresolved issues concerning the claim construction of explicitly recited limitations in relation to the work piece introduced only in the preamble. Also, there are unresolved issues concerning the structure of Gee '976 in relation to the structural limitations set forth in the claims. An interview will be profitable in discussing these issues and facilitating passing the allowable claims to issuance. Attached is the requisite form PTO-413A requesting the interview, with the proposed time left to the Examiner's determination for his convenience. The Examiner may reach Applicant's representative at either the phone number or FAX number below to communicate the desired interview date and time.

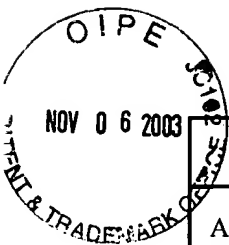
The Amendments contained herein are proper, do not add new matter, and serve to obviate all rejections. Accordingly the Applicants respectfully request reconsideration and allowance of all pending claims. The Examiner is encouraged to contact the

Applicant's representative below for any matter that might further facilitate prosecution on the merits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitchell K. McCarthy", is written over a horizontal line.

Mitchell K. McCarthy, Reg. No. 38,794  
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Attorney for Applicant



## Applicant Initiated Interview Request Form

Application No.: 09/978,477 First Named Applicant: Wheeler  
Examiner: S. Varner Art Unit: 3635 Status of Application: RCE

### Tentative Participants:

(1) Examiner Varner (2) \_\_\_\_\_  
(3) Mitchell McCarthy (4) \_\_\_\_\_

\*To be determined by  
Proposed Date of Interview: Examiner Varner Proposed Time: \_\_\_\_\_ (AM/PM)

\*Applicant's representative requests interview after Examiner Varner reviews claims in RCE  
but before an action on the merits.  
Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>New</u>	<u>38</u>	<u>all of record</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej</u>	<u>2</u>	<u>all of record</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej</u>	<u>16</u>	<u>all of record</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

Applicant wishes to clarify unresolved issues of claim construction  
dealing with explicitly recited limitation in relation to the work piece set forth in  
preamble. Also, to discuss unresolved issues regarding the structure of Bee '976 in  
relation to claims 2, 16, and 38.  
An interview was conducted on the above-identified application on \_\_\_\_\_.

### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

[Signature]  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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GROUP 3600